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Confidence-building measures in the regional and subregional context

Report of the Secretary-General

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I. Introduction

1. In its resolution 61/81, the General Assembly called upon Member States, inter alia, to refrain from the use or threat of use of force in accordance with the purposes and principles of the Charter of the United Nations, and to pursue ways and means regarding confidence- and security-building measures, set out in the report of the Disarmament Commission on its 1993 session, through sustained consultations and dialogue, while at the same time avoiding actions that may hinder or impair such a dialogue. Furthermore, the General Assembly urged States to comply strictly with all bilateral, regional and international agreements, including arms control and disarmament agreements, to which they are party. The Assembly also encouraged the promotion of bilateral and regional confidence-building measures, with the consent and participation of the parties concerned, to avoid conflict and prevent the unintended and accidental outbreak of hostilities. It requested the Secretary-General to submit a report to the General Assembly at its sixty-second session containing the views of Member States on confidence-building measures in the regional and subregional context. The present report is submitted pursuant to that request.

2. A note verbale was sent on 23 February 2007 to all Member States requesting their views. To date, replies from the Governments of Albania, Chile, China, Lebanon, Mexico, Poland, Sierra Leone and the Syrian Arab Republic have been received and are reproduced in part II below. Additional replies received will be issued as addenda to the present report.

II. Replies received from Member States

Albania

[Original: English]
[26 March 2007]

1. The 56 States (of which Albania is one) which are members of the Organization for Security and Cooperation in Europe (OSCE) have unanimously agreed upon a number of important confidence-building measures to increase security in the regional and subregional context.

2. At the Istanbul Summit in 1999, further military agreements were made, which are contained in the Vienna Document 1999. The Vienna Document regulates yearly information exchanges on defence planning, land and air forces and sizable military exercises, inter alia. To verify that the information exchanged is correct, the OSCE member States carry out evaluation visits and inspection of specified areas. In the last year, Albania has carried out evaluation visits and has received such inspection and evaluation visits yearly.

3. According to the OSCE agreement on global information, information is exchanged on a yearly basis, in addition to information exchange requirements contained in the Vienna Document 1999, also covering maritime forces and forces stationed abroad.

4. The OSCE Code of Conduct On Politico — Military Aspects of Security is intended to guide the member States in issues regarding the politico-military aspects of individual and collective security. The Code arises from the common values

within the OSCE and its participating States and gives expression to a State responsibility towards its own people and other States.

5. Another important OSCE agreement reached is the OSCE Document or Small Arms and Light Weapons. It sets out concrete norms, principles and measures to reduce the destabilizing accumulation and uncontrolled spread of these weapons. Participating States, Albania among them, have exchanged information on imports, exports, legislation on State control over arms transfer, etc.

6. Albania contributed to all of these agreements, providing all information required in a timely and correct manner.

7. In addition, based on chapter 10 of the Vienna Document 1999, on regional measures, Albania has steadily increased the bilateral agreements it has on the confidence- and security-building measures in the regional and subregional context.

8. Albania aspires to ensure its basic security interests through active preventive diplomacy and enhanced cooperation with neighbouring countries and countries in the same region. Albania actively participates in the Euro-Atlantic Partnership Council and the Stability Pact for South-Eastern Europe. It also participates in other regional initiatives such as the South-East European Cooperation Process, the Southeast Europe Defense Ministerial and the Adriatic Chart, considering such activity a contribution to security in the region and at large.

9. The goal of Albania is to cooperate peacefully and contribute to security along with its neighbours in the region and with NATO partner countries through such actions as multinational training activities and peace support operations. There are contributions to regional confidence-building and transparency through openness regarding the missions and structure of Albania's military and they thus advance the goals of arms control agreements.

Chile

[Original: Spanish]
[13 June 2007]

1. The implementation of confidence- and security-building measures has helped to strengthen military relations and to reduce tensions and the potential for conflict between States, and has fostered cooperation and trust among the democratic States of the hemisphere. Such measures clearly represent a concrete and effective contribution to regional and global peace and security. In the Americas, they have also helped to strengthen democracy and to promote transparency, dialogue and confidence.

2. Chile has contributed to the implementation of confidence- and security-building measures through a variety of initiatives. Examples include the regional meetings held in the framework of the Organization of American States (OAS) (in El Salvador in 1995 and in Santiago in 1998) and the meeting of experts held in Miami in 2003; the publication of two defence white papers; the study "A common standardized methodology for the measurement of defence spending" in Chile and Argentina, carried out in collaboration with the Economic Commission for Latin America and the Caribbean (ECLAC) (a similar study is currently being conducted with Peru); Chile's regular reports to the United Nations Register of Conventional

Arms and the United Nations instrument for standardized international reporting of military expenditures; and the report submitted pursuant to Chile's obligations under the Inter-American Convention on Transparency in Conventional Weapons Acquisitions.

3. Chile believes that it is important to implement second-generation confidence- and security-building measures. It supports the efforts of the OAS Committee on Hemispheric Security, which have resulted in the institution of the Forum on Confidence- and Security-building Measures. The Forum has been convened twice in Washington, D.C., in April 2005 and November 2006.

4. In 1999 the Latin American and Caribbean countries took a decisive step towards increasing transparency in weapons acquisitions by adopting a legally binding instrument: the Inter-American Convention on Transparency in Conventional Weapons Acquisitions. The Convention's objective is to "contribute more fully to regional openness and transparency in the acquisition of conventional weapons by exchanging information regarding such acquisitions, for the purpose of promoting confidence among States in the Americas".

5. In Chile's view, the applicability of this Convention has a dimension that goes beyond the Latin American and Caribbean region, since, under article V of this instrument, any State that is not a member of OAS may contribute to the objective of the Convention by providing information annually to the depositary (the OAS General Secretariat) on its exports of conventional weapons to the States parties to the Convention. To date, no State not a member of OAS has done so. This is therefore a promising area that could be explored with States Members of the United Nations that are interested in cooperating in this regard.

6. Also noteworthy is the draft resolution submitted by Chile and Canada to the OAS General Assembly at its June 2007 session. The draft, which enjoys consensus among the delegations, is aimed at promoting the universal application of this Convention. Chile and Canada are the only countries in the region that have complied with the provisions of this international instrument by submitting reports on weapons acquisitions to the OAS General Secretariat.

China

[Original: English]
[15 May 2007]

Views of the Chinese Government on confidence-building measures in the regional and subregional context

1. The Chinese Government attaches great importance to confidence-building measures in the regional and subregional context. China believes that the purpose of confidence-building measures is to promote confidence, decrease misunderstanding, prevent conflicts and maintain stability. Enhancement of the international environment, maintenance of international strategic balance and stability and the provision of undiminished security for all countries are the prerequisites and bases for confidence-building measures. Confidence-building measures should be established by the relevant countries and regions on a voluntary basis taking into account different regions and situations in a phased manner.

2. China has always been committed to promoting cooperation in regional disarmament and confidence-building measures. In 1994, China and the Russian Federation signed the Agreement on the Prevention of Dangerous Military Activities. In 1993, 1995 and 2005, China signed a series of agreements with India on confidence-building measures in the military field along the Line of Actual Control in the China-India border areas. In 1996 and 1997, China signed agreements on confidence-building in the military field and mutual reduction of military forces along the border areas with the Russian Federation, Kazakhstan, Kyrgyzstan and Tajikistan. In 2002, China signed with ASEAN the Declaration on the Conduct of the Parties in the South China Sea. China has also worked with the relevant countries and made a series of active efforts in exploring confidence-building measures within such frameworks as the Shanghai Cooperation Organization, the Association of Southeast Asian Nations Regional Forum and the Conference on Interaction and Confidence-Building Measures in Asia, which have greatly contributed to the enhancement of regional peace and stability.

Lebanon

[Original: Arabic]
[1 May 2007]

Subject: Information regarding the position of Lebanon vis-à-vis confidence-building

The Ministry of National Defence notes that Lebanon supports all international confidence-building measures and agreements, the maintenance of military balance, and efforts to combat the unrestrained proliferation of various types of weapons in the region and the world, because of the grave threat it poses at the global, regional and subregional levels. Lebanon also wishes to reaffirm its adherence to international law and the principles of the Charter of the United Nations, in particular the principles of the sovereign equality of States and regional integrity. The primary obstacle facing Lebanon in confidence-building at the regional and subregional levels is Israel, which continues to violate international laws and standards and possesses weapons of mass destruction. Those weapons pose a constant threat at the regional and subregional levels.

Mexico

[Original: Spanish]
[22 May 2007]

Measures taken by Mexico in accordance with paragraphs 3-8 of General Assembly resolution 61/81 of 6 December 2006, "Confidence-building measures in the regional and subregional context"

1. Mexico supports and contributes to the implementation of confidence-building measures in the regional and subregional context by complying with the international treaties it has signed with respect to weapons of mass destruction and conventional arms.

2. In this connection, pursuant to the relevant General Assembly resolutions, Mexico submits reports on the measures taken at the national level in various areas: (a) objective information on military matters, including transparency of military expenditures; (b) the illicit trade in small arms and light weapons in all its aspects; (c) problems arising from the accumulation of conventional ammunition stockpiles in surplus; (d) confidence-building measures in the field of conventional arms; (e) conventional arms control at the regional and subregional levels; (f) implementation of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction; (g) towards an arms trade treaty: establishing common international standards for the import, export and transfer of conventional arms; and (h) transparency in armaments.

3. Mexico supports and continues to promote, in the United Nations Disarmament Commission, the Conference on Disarmament, the Disarmament and International Security Committee (First Committee) and other major disarmament forums, confidence-building measures in the regional and subregional context. It also supports the development of a regional approach by providing voluntary financial contributions to the United Nations Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean.

4. In the same vein, Mexico promotes the adoption of resolutions in the First Committee of the United Nations General Assembly and the implementation of measures to strengthen international disarmament and non-proliferation efforts.

5. The Security Council's mandate is to maintain international peace and security, pursuant to Article 24, paragraph 1, of the Charter of the United Nations. While the Security Council's work is most closely identified with the peacekeeping operations carried out under Chapter VII of the Charter, the decisions taken on the basis of Article 33 are perhaps even more important.

6. Article 33 of the Charter elaborates on the principle contained in Article 2, paragraph 3, and refers to the Council's authority to call upon the States parties to a dispute to resort to any of the means of pacific settlement of disputes available under international law. Thus, it is under Article 33 that the Council exercises its preventive function.

7. Considering that the Council's prime objective is to maintain peace and security, prevention is crucial for the discharge of its duties. In the view of Elizabeth Cousens, conflict prevention "potentially relates to nearly the full range of goods pursued by the UN system — including good governance, socio-economic development, respect for human rights, and the rule of law — whose respective causal relationships to armed conflict remain contested".[1]

8. The Government of Mexico firmly believes that it is necessary to promote the settlement of disputes between States by the means referred to in Article 33 so as to obviate the need for action under Chapter VII of the Charter.

9. In addition, the strengthening of dispute settlement by the means referred to in Article 33 of the Charter will help to strengthen the Declaration on the Prevention

[1] Elizabeth Cousens, "Conflict Prevention", *The UN Security Council: From the Cold War to the 21st Century*, David Malone, ed. (Colorado, United States, Lynne Rienner Publishers, 2004), p. 101.

and Removal of Disputes and Situations Which May Threaten International Peace and Security and on the Role of the United Nations in this Field, contained in General Assembly resolution 43/51.[2] The Declaration's provisions serve as implementing regulations for Article 33, as they give the Security Council the primary role in the prevention of conflict and the settlement of disputes by peaceful means.

10. Dispute settlement under Article 33 is directly related to the issue of the rule of law at the international level. This issue is the subject of separate discussions in the General Assembly's Sixth Committee, in which the Government of Mexico expressed the view that, among other things, the "rule of law was strengthened not only when disputes between States were referred to the various international courts, but also when the judgements of those courts were complied with. For that purpose, it was important to promote acceptance of the compulsory jurisdiction of the International Court of Justice, and the inclusion in international treaties of provisions for the referral to the Court, or to another tribunal, of any disputes which might arise from the application or interpretation of the treaties".[3]

Poland

[Original: English]
[2 May 2007]

1. Poland's policy on conventional arms control, disarmament and confidence- and security-building measures plays an important role in the overall security policy of the country. It is also closely linked to the arms control policy of the institutions and organizations to which Poland belongs: NATO and the European Union.

2. Poland is party to several multilateral agreements related to conventional arms control and confidence- and security-building measures that have been negotiated and implemented under the aegis of the Organization for Security and Cooperation in Europe, including the Treaty on Conventional Armed Forces in Europe, the Treaty on Open Skies, The Vienna Document 1999 of the negotiation on Confidence- and Security-Building Measures, the Code of Conduct on Politico-Military Aspects of Security and other documents.

Additional bilateral agreements on confidence- and security-building measures concluded by Poland with Ukraine and Belarus

3. The main concept behind the additional bilateral agreements on confidence- and security-building measures, contained in the Chapter 10 of the Vienna Document 1999 of the Negotiations on Confidence- and Security-Building Measures, is to expand already existing confidence- and security-building measures all across Europe.

4. Both documents agree to the additional exchange of military information, the implementation of additional systems of verification (inspections and evaluation visits), additional observation of certain military activities, the introduction of new

[2] General Assembly resolution 43/51 of 5 December 1988.

[3] Statement made by the delegation of Mexico at the sixty-first session of the General Assembly under agenda item 80, "The rule of law at the national and international levels" (A/C.6/61/SR.7, para. 19).

ways to obtain clarifications on military activities and the establishment of regular meetings at the level of the verification units of the States involved.

5. The agreement on additional confidence- and security-building measures with Ukraine was signed by the Ministers of National Defence of both States in November 2004. It entered into force on 30 November 2004. Practical implementation started in 2005.

The Belarusian authorities issued an invitation to participate in bilateral talks on additional confidence- and security-building measures in July 2001. Following several rounds of consultations, the text was adopted. The missions to the Organization for Security and Cooperation in Europe of the two States exchanged notes and informed other OSCE participating States of their activities. The bilateral agreement entered into force on 20 July 2004. However, the heads of the verification units decided to start practical cooperation in 2005.

Implementation to date

6. There have been no problems with the overall implementation of both agreements. It should be noted that there has been a decrease in the role of provisions for the notification and observation of military activities in the zone of application, due to the fact that it seems unlikely that in future any activity subject to notification will be conducted in the border zone, as specified in both agreements. There is already a high degree of confidence and stability in the region of Central and Eastern Europe. Due to the fact that the subjects of verification are only the military units in the zone of application (about 80 kilometres in the border regions), the same units are visited every year. There are plans to include in the inspection teams and escort teams representatives of the units from the border regions of Poland so as to enable them to expand transborder cooperation in the spirit of the Vienna Document (para. 30.1.2).

Both agreements have been important to confirm the will of the neighbouring States to expand cooperation in the military sphere. Polish membership in the North Atlantic Alliance and the European Union served as an additional impulse to conclude such agreements to show the neighbours that stay outside the two organizations that Poland intends to continue and even to intensify our partner ties with them.

Sierra Leone

[Original: English]
[15 June 2007]

1. Sierra Leone once again demonstrated its commitment to the promotion of friendly relations and good neighbourliness among States by co-sponsoring General Assembly resolution 61/81. Aware of the fact that the areas of the Mano River Union and the Economic Community of West African States have experienced prolonged armed conflict, the Government of Sierra Leone continues to pursue sustained consultations, dialogue and other means of enhancing peace and security among the countries of the subregion, in particular the Mano River Union.

2. The following are some of the important initiatives and confidence-building measures at the governmental, community and civil society levels which have

contributed to the consolidation or maintenance of peace and stability in the West African subregion in the past several months.

3. President Kabbah participated in the celebration of the 159th anniversary of independence in Liberia last July and assured the Government and people of Liberia that Sierra Leone was giving them the best anniversary gift possible, a pledge that Sierra Leoneans would not only regard Liberians as neighbours but also treat them as members of the same extended family. President Kabbah took note of the pledge made by President Johnson-Sirleaf that under her administration no inch of Liberian soil would be used to conspire or perpetuate aggression against her sister republics to the west and north of Liberia.

4. One of the results of the 2005 unification crusade of the Kissy people in the three border areas of Sierra Leone, Guinea and Liberia was the recent meeting hosted by parliamentarians and chiefs and elders of the Kissy people as a conflict prevention initiative. The recent Makona River Kissy Union Agricultural Show and Trade Fair held in the Kailahun District of Sierra Leone attracted border community participation and thus enhanced the objectives of peace and good neighbourliness along the borders of the three countries.

5. Earlier in the year, President Kabbah played an active good offices role in easing tension in neighbouring Guinea. The new prime minister of Guinea, Mr. Lansana Kouyate, described that role as timely, and added that the calm that now prevailed in his country following the disturbances was due largely to efforts of the president of Sierra Leone.

6. The presidents of both Sierra Leone and Liberia made several visits to Guinea. In February, they assured the Guinean people of their readiness to collaborate with Guinean authorities in the implementation of the Protocols of the Mano River Union relating to security and cross-border problems in the interest not only of Guinea but also of Liberia and Sierra Leone as well.

7. Following the Mano River security sector reform conference in Conakry last November, member States of the Mano River Union are now reviewing the draft Pact on good neighbourhood, stability and solidarity between the States and peoples of the Union, as is Côte d'Ivoire in its capacity as an associate member. Introduced by Guinea, the proposed Pact is expected to promote and build confidence among the peoples of the Union in such areas as combating the proliferation of small arms and light weapons, cross-border challenges related to the free movement of persons and goods and promotion of human rights as a means of ensuring peace, consolidation and security in the subregion. It also envisages a provision on the peaceful resolution of conflict.

8. Concerning the issue of the Sierra Leone-Guinea border along the Makona/Moa River, often referred to as the Yenga question, Sierra Leone has reaffirmed its determination and commitment to pursue a friendly and peaceful solution to the issue. At the recent meeting in Conakry, convened to discuss the reactivation of the Mano River Union, security within the subregion and the status of Yenga, the Heads of State of Côte d'Ivoire, Guinea, Liberia and Sierra Leone considered the report of a technical committee which stated categorically that Yenga belongs to Sierra Leone. The Heads of State confirmed that conclusion. However, it was noted that the documentation consulted during their deliberations revealed some inconsistencies regarding a piece of land 200 metres from the west bank of the

Moa/Makona River which is currently occupied by Guinea. A visit by the vice presidents of Sierra Leone and Liberia and the prime minister of Guinea was expected to shed further light on the problem.

9. The recent reopening of the Mano River Bridge between Sierra Leone and Liberia is considered another major development in the consolidation of peace in the subregion.

Syrian Arab Republic

[Original: Arabic]
[23 May 2007]

1. A regional focal point is to be established within the League of Arab States, with support and partial financing for the first stage coming from the Governments of Germany and Switzerland.

2. A meeting of experts was held in 2004 to develop the framework for the regional focal point.

3. An annual meeting of the focal points should be held. In addition, training courses should be organized and an Arab database and regional information network should be created.

4. Arab States should emphasize their continued commitment to the unified position taken at the 2001 United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, particularly in relation to international priorities regarding nuclear disarmament (weapons of mass destruction); the right of peoples, particularly those under occupation, to self-determination and self-defence; and addressing the root causes of armed conflicts.

5. Enforcing Israeli compliance with and adherence to resolutions of international legitimacy, as well as the nuclear disarmament of Israel, should be emphasized.